

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Aug 06, 2018

Petition for Warrant or Summons for Offender Under Supervision

SEAN F. MCAVOY, CLERK

Name of Offender: Robert E Denton

Case Number: 0980 2:08CR00094-WFN-1

Address of Offender: Unknown

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: September 30, 2009

Original Offense: Possession of 5 Grams or More of Cocaine Base, in the Form of Crack Cocaine, 21 U.S.C. § 844(a)

Original Sentence: Prison - 60 months; Type of Supervision: Supervised Release
TSR - 36 months

Revocation Sentence: Prison - 4 months;
TSR - 23 months

Asst. U.S. Attorney: Scott Jones

Date Supervision Commenced: December 16, 2016

Defense Attorney: Roger Peven

Date Supervision Expires: November 9, 2018

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 01/27/2017, 04/12/2017, 05/04/2017 and 07/25/2018.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

7

Standard Condition #2: The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court.

Supporting Evidence: On December 19, 2016, Mr. Robert Denton signed his conditions of supervision relative to case number 2:08CR00094-WFN-1, indicating that he understood all conditions as ordered by the Court. Specifically, Mr. Denton was made aware by his U.S. probation officer that he was required to refrain from the use of illegal controlled substances.

Robert Denton submitted a urine specimen on July 25, 2018, which was confirmed positive for cocaine.

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- 8 **Standard Condition # 9:** After initially reporting to the probation office, the defendant will receive instructions from the court or the probation officer about how and when to report to the probation officer, and the defendant must report to the probation officer as instructed.

Supporting Evidence: On December 19, 2016, Mr. Robert Denton signed his conditions of supervision relative to case number 2:08CR00094-WFN-1, indicating that he understood all conditions as ordered by the Court. Specifically, Mr. Denton was made aware by his U.S. probation officer that he was required to report as directed.

On July 30, 2018, Robert Denton was directed to report to the U.S. Probation Office by 3:30 PM. Robert Denton failed to report.

- 9 **Special Condition # 22:** The defendant shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the Court. The defendant shall contribute to the cost of the treatment according to his ability to pay. The defendant shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: On December 19, 2016, Mr. Robert Denton signed his conditions of supervision relative to case number 2:08CR00094-WFN-1, indicating that he understood all conditions as ordered by the Court. Specifically, Mr. Denton was made aware by his U.S. probation officer that he was required to undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program.

Robert Denton failed to attend his scheduled treatment at Pioneer Counseling Services on August 2, 2018.

- 10 **Special Condition # 23:** The defendant shall abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On December 19, 2016, Mr. Robert Denton signed his conditions of supervision relative to case number 2:08CR00094-WFN-1, indicating that he understood all conditions as ordered by the Court. Specifically, Mr. Denton was made aware by his U.S. probation officer that he was required to submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month.

Robert Denton failed to report for drug testing at Pioneer Counseling Services as required on July 27 and 31, and August 2, 2018.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 08/06/2018

s/Richard Law

Richard Law
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

8/6/2018

Date